

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, ADOPTING THE HIKE AND BIKE TRAIL MASTER PLAN; AMENDING THE HIKE AND BIKE INTEGRATION SECTION OF CHAPTER 6 (TRANSPORTATION STRATEGY) OF THE COMPREHENSIVE PLAN, ORDINANCE NO. 06-04-38 TO INCORPORATE THE HIKE & BIKE TRAIL MASTER PLAN, BY REFERENCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that Chapter 6 (Transportation Systems) of the City of Frisco, Texas ("Frisco") Comprehensive Plan, Ordinance No. 06-04-38 (sometimes referred to herein simply as the "Comprehensive Plan") should be amended; and

WHEREAS, Frisco has complied with all notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Frisco to adopt the *Hike and Bike Trail Master Plan* and amend Frisco's Comprehensive Plan, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Hike & Bike Trail Master Plan Adopted. The City of Frisco hereby adopts the *Hike & Bike Trail Master Plan* attached hereto as Exhibit "A", and incorporated as if fully set forth herein (the "Master Plan"). The Master Plan shall be printed as a separate document from the Comprehensive Plan, but it shall be considered part of the Comprehensive Plan as if it were fully set forth in the body of the Comprehensive Plan. All provisions of Frisco's Comprehensive Plan, as it exists or may be amended, shall apply to the extent it is not altered by the Master Plan.

SECTION 3: Amendment to Hike and Bike Integration Section of Chapter 6 (Transportation Strategy) of the City of Frisco's Comprehensive Plan, Ordinance No. 06-04-38. The Hike and Bike Integration Section of Chapter 6 (Transportation Strategy) of the City of Frisco's Comprehensive Plan, Ordinance No. 06-04-38 is amended to read as follows:

“The City of Frisco has adopted its *2008 Hike and Bike Trails Master Plan*, which is made a part of this Comprehensive Plan as if fully set forth herein. One of the primary issues raised throughout the public process (discussed in Chapter 2) has been the need for more hike and bike trails and better interconnectivity. The need for a trail system has also been discussed within the *Land Use Strategy* and *Livability Strategy* chapters of this Comprehensive Plan. The *2008 Hike & Bike Trails Master Plan* shows both on-street and off-street trails throughout Frisco. The on-street trails have been designated to occur on most of the major and minor thoroughfares within the City. Therefore, it is important to plan how and where, along the street, the trails will exist. The map on the following page (*Figure 6-23*, page 6.35) shows the current, adopted *Hike & Bike Trails Master Plan*.

...

The system of trails throughout the City is focused on connecting neighborhoods to schools, major activity centers, parks, and future transit stations for recreation, for the purpose of providing an alternative mode of transportation. These trails can be developed in a way that is both pleasant and practical, either on-street or off. With routes on the major thoroughfares (via six- to 12-foot sidewalks), and even along Texas Department of Transportation (TxDOT) highways, such as State Highway 121 and US Highway 380, these routes can serve as a means of transportation for people traveling to work. Connecting trails to the future transit stations can also be a catalyst to encourage bike trips to final work destinations. *The Hike & Bike Trails Master Plan* reflects the correct locations of the three proposed commuter rail stations, as well as potentially possible additional rail stations.

Chapter 4, the *Land Use Strategy*, and Chapter 5, the *Livability Strategy*, both discuss the importance of the integration of a trail system—these chapters have integrated trail concepts by locating land uses, parks and public uses to maximize the affect of the trails, and the connection between trails and livability is discussed in detail.

The question now is—how can these routes be integrated better into the Transportation Strategy? The City’s roadway design standards designate sidewalks along thoroughfares to allow for the trails to be developed and constructed. The design standards indicate a 6-foot sidewalk on major thoroughfares. It may be necessary to have trails wider than six feet, therefore, a cross section demonstrating how a 12-foot, off-street hike and bike trail could be integrated into the roadway should also be included. This *Transportation Strategy* encourages close coordination between Planning & Development Services, Engineering Services, and Parks & Recreation Department to develop roadway cross sections with a wider hike and bike pathway.”

SECTION 4: Deletion and replacement of Figure 6-23 of Chapter 6 (Transportation Strategy) of the City of Frisco’s Comprehensive Plan, Ordinance No. 06-04-38. Figure 6-23 (Current (2002) *Hike and Bike Trails Master Plan*) of Chapter 6 (Transportation Strategy) of the City of Frisco’s Comprehensive Plan, Ordinance No. 06-04-38 is hereby deleted and replaced with the 2008 map of the *Hike and Bike Trails Master Plan*, provided in Exhibit “A”, which is attached to and made a part of this Ordinance.

SECTION 5: Savings/Repealing Clause: Frisco’s Comprehensive Plan, Ordinance No. 06-04-38 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of

the ordinance. Any remaining portions of said ordinance shall remain in full force and effect.

SECTION 6: Severability: Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Effective Date: This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this _____ day of _____, 2008.

MAHER MASO, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

APPROVED AS TO FORM:

Ron Patterson, Interim City Secretary

ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.
CLAIRE E. SWANN, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*